

Message

From: Gymer, Lisa@Wildlife [Lisa.Gymer@wildlife.ca.gov]
Sent: 6/11/2021 7:54:12 PM
To: Pankratz, Shannon L CIV USARMY CESPL (US) [Shannon.L.Pankratz@usace.army.mil]; Zimmerman, Jan@Waterboards [jan.zimmerman@waterboards.ca.gov]; Scianni, Melissa [Scianni.Melissa@epa.gov]; Steinert, Tiffany@Waterboards [Tiffany.Steinert@Waterboards.ca.gov]
Subject: RE: Petersen Ranch spineflower amendment
Attachments: Petersen Ranch MB_Exhibit D-5 LTMP 11-10-17_CDFW.docx

Hi all,

I have some comments (see attached and below) on the amendment documents submitted and wanted you to take a look and add any of your own if you so desire before I sent this off to the Bank Sponsor, or Shannon, if you want to send it off, that's fine too.

Thank you!

Lisa

Please see my email of May 6, 2021 below. Perhaps you can shine some light on those items for me.

Additionally, CDFW has some recommended changes to the grazing plan (v 12-04-17): 1) Table 1, for Pasture 8, please reduce the acreage by 7 (rounding up) and reduce the total to 3,958 (rounding down). It does not make sense to have a fraction of an acre in the total when there are none in the numbers you are adding up. 2) modify the last sentence in the new paragraph on pages 6 and 7 to, Newhall will be solely responsible for all monitoring and maintenance of the cattle exclusion fencing surrounding *and the habitat within* the Introduction Area.

For the Long-term Management Plan, CDFW inserted some modified language. See attached document. The figures were not attached. In the final BEI documents, there are two different Figure 4s. Is there a reason these should not be merged to avoid confusion? Figure 4 needs to be updated with the new easements. By the way, there are also two different Figure 9s in the final BEI document as well.

Section 3.1.6, page 12, of the LTMP, please update with the Newhall easement and access agreements. The main easement will not be managed per the LTMP but the access area will be?

I am not finding red-lined or clean modified versions of Exhibit F-1.3.1, F-1.3.3, F1.3.5, F-1.3.7 and the credit evaluation crosswalk. I am also not seeing an updated PAW (Exhibit E 2.1) and it's attachments 2, 3, and 4. Please include in the updated PAW, attachments that depict all the easements along with identifying which are creditable and which are not.

Regarding the Development Plan, can you please confirm that none of the work described in the Development Plan applies to the spineflower easement area and therefore none of the text within the body of the plan needs modification? Figures 63, 64, 65 and 66 should reflect the spineflower easement the same way as the other easements that are not creditable. Again, the figures currently do not clearly reflect which easements are or are not creditable and that should be made apparent.

The legal documents, including the amended CE are in review with our office of general counsel. Any questions or comments will be sent to you at a later time.

If you have any questions, feel free to contact me by email. We can set up a conference call if you feel a discussion would be beneficial.

Thank you,

Lisa

Lisa Gymer
Senior Environmental Scientist Specialist
Regional Mitigation Banking Coordinator
California Department of Fish and Wildlife
South Coast Region
3883 Ruffin Road
San Diego, California 92123
Lisa.Gymer@wildlife.ca.gov
Phone: 858-467-4201
Fax: 858-467-4299

From: Gymer, Lisa@Wildlife

Sent: Thursday, May 6, 2021 4:29 PM

To: Marlene Tyner-Valencourt <tyner-valencourt@wra-ca.com>; Pankratz, Shannon L CIV USARMY CESPL (US) <Shannon.L.Pankratz@usace.army.mil>

Cc: Nate Bello <belo@wra-ca.com>; Zimmerman, Jan@Waterboards <jan.zimmerman@waterboards.ca.gov>; Steinert, Tiffany@Waterboards <Tiffany.Steinert@Waterboards.ca.gov>; Scianni, Melissa [Scianni.Melissa@epa.gov] <Scianni.Melissa@epa.gov>; Gan, Janice@Wildlife <Janice.Gan@wildlife.ca.gov>

Subject: RE: Petersen Ranch spineflower amendment

Hi Marlene,

This may have already been brought up and explained, but I don't see any type of explanation in our files. My concern is the exhibits contained in the Easement Agreement describe the introduction area as being 6.722 acres with an additional 1.9 acres for the access to the introduction area. It is unclear why there is a discrepancy in the acreage, 6.76 versus 6.722 plus 1.9 and it does not appear that the access acreage is being addressed in the amendment. Is that because the access route is already an established road with no credits associated with it? You'll need to establish the exact acreage you are requesting be removed from the crediting before CDFW can really determine which documents need to be modified. Once the acreage is finalized, I would like to request that you provide a list of the Covered Species/Habitat credit types that will be affected by the removal of the introduction acreage and by how much for each credit type. As I mentioned above, once we get the exact differences for each credit type affected, CDFW can more readily determine which exhibits need to be modified throughout the banking documents.

Thank you,

Lisa

Lisa Gymer
Senior Environmental Scientist Specialist
Regional Mitigation Banking Coordinator
California Department of Fish and Wildlife
South Coast Region
3883 Ruffin Road
San Diego, California 92123
Lisa.Gymer@wildlife.ca.gov
Phone: 858-467-4201
Fax: 858-467-4299

From: Marlene Tyner-Valencourt <tyner-valencourt@wra-ca.com>

Sent: Tuesday, February 23, 2021 10:48 AM

To: Pankratz, Shannon L CIV USARMY CESPL (US) <Shannon.L.Pankratz@usace.army.mil>

Cc: Nate Bello <bello@wra-ca.com>; Zimmerman, Jan@Waterboards <jan.zimmerman@waterboards.ca.gov>; Steinert, Tiffany@Waterboards <Tiffany.Steinert@Waterboards.ca.gov>; Gymer, Lisa@Wildlife <Lisa.Gymer@wildlife.ca.gov>; Scianni, Melissa [Scianni.Melissa@epa.gov] <Scianni.Melissa@epa.gov>; Gan, Janice@Wildlife <Janice.Gan@wildlife.ca.gov>

Subject: Re: Petersen Ranch spineflower amendment

Warning: This email originated from outside of CDFW and should be treated with extra caution.

Hi Shannon,

We reviewed the IRT's request regarding the spineflower amendment materials in more detail and wanted to clarify the scope of your request. Please see our comments/questions in blue below.

1. Tracked changes version of all documents; There are tracked-changes versions of the documents uploaded to RIBITS, are these the documents you were looking for? If not, can you please clarify your request?
2. .kmz file for the spineflower area, as well as for all figures to clearly depict/outline the spineflower area; I will follow up with the kmz of the spineflower area asap. In the meantime, the figures in the amendment package show updated credit maps for Area F. All the figures show a blank area that represents the spineflower area being cut out of the credit map, as this area will no longer be able to generate credits for the mitigation bank to sell. Can you confirm that the IRT would like all the mitigation bank credit maps in this amendment package to be updated to include the boundary of the spineflower area as a feature and legend item?
3. Confirmation if any credits had been sold or not for the spineflower area; The spineflower area is located in Area F, which has not yet been incorporated into the operational Petersen Ranch Mitigation Bank - there is no easement over Area F and it is not generating credits because it has not been established. Therefore no credits have been released or sold from Area F or the spineflower area.
4. Is there a specific date by which the Sponsor needs to complete the amendment? The original amendment request was submitted in December 2017. Land Veritas has since submitted another amendment request (the Caltrans sales agreement) and at least one other amendment request may be submitted in 2021. Therefore it will be helpful if this amendment could be processed as soon as possible to facilitate approval of other requests in a timely manner.

Regarding the "dates needed by" table request, please see attached. I will forward this separately to the Soquel Canyon IRT as well. Please let me know if you have any questions or concerns about the dates listed and we can discuss further.

Thanks for your help,
Marlene

On Fri, Feb 19, 2021 at 4:26 PM Marlene Tyner-Valencourt <tyner-valencourt@wra-ca.com> wrote:

Hi Shannon,

Thanks for your email. No problem at all -- we will gather the requested materials and question responses associated with the spineflower amendment and put together the Dates Needed By list next week.

Thanks and have a great weekend!

Marlene

On Thu, Feb 18, 2021 at 5:14 PM Pankratz, Shannon L CIV USARMY CESPL (US)

<Shannon.L.Pankratz@usace.army.mil> wrote:

Hello Nate and Marlene,

The IRT had met regarding the spineflower amendment for Petersen, and the following information would be helpful for us in continuing to review the request:

1. Tracked changes version of all documents;
2. .kmz file for the spineflower area, as well as for all figures to clearly depict/outline the spineflower area;
3. Confirmation if any credits had been sold or not for the spineflower area;
4. Is there a specific date by which the Sponsor needs to complete the amendment?

And although this isn't specific to just Petersen, it would be very helpful for the IRT if a list of "dates needed by" could be provided for all current amendment and credit release requests, for both the Soquel and Petersen banks.

All the best,

Shannon Pankratz

Senior Project Manager, Biologist

Regulatory Division, North Coast Branch, Los Angeles and San Bernardino Counties Section

Los Angeles District, U.S. Army Corps of Engineers

915 Wilshire Blvd, Suite 930

Los Angeles, California 90017

shannon.l.pankratz@usace.army.mil

Office: 213-452-3412

Government Mobile: 213-453-8586

IMPORTANT NOTE: During the Coronavirus Health Emergency, Regulatory Program staff are teleworking. Please do not mail hard copy documents to any Regulatory staff or office. For further details on corresponding with us, please view our COVID-19 special public notice at:

https://www.spl.usace.army.mil/Portals/17/docs/publicnotices/COVID19%20Regulatory_SPN.pdf?ver=2020-03-19-134532-833

Assist us in better serving you! Please complete our brief customer survey, located at the following link:
http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey

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MARLENE TYNER-VALENCOURT, MESM | Conservation Project Manager | d: [858.682.2699](tel:858.682.2699) | o: [858.842.1800](tel:858.842.1800) x 2210 | c: [248.499.0805](tel:248.499.0805) | tyner-valencourt@wra-ca.com

WRA, Inc. | www.wra-ca.com | 3033 5th Avenue, Suite 315, San Diego, CA 92103 | San Rafael | Emeryville | Petaluma | Fort Bragg | Denver
Our San Diego office has moved! Please note our new address.

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MARLENE TYNER-VALENCOURT, MESM | Conservation Project Manager | d: [858.682.2699](tel:858.682.2699) | o: [858.842.1800](tel:858.842.1800) x 2210 | c: [248.499.0805](tel:248.499.0805) | tyner-valencourt@wra-ca.com

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